UNITED NATIONS **A**

General Assembly

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A/RES/48/141
7 January 1994

Forty-eighth session
Agenda item 114 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/632/Add.4)]

48/141. High Commissioner for the promotion and protection of all human rights

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations,

Emphasizing the responsibilities of all States, in conformity with the Charter, to promote and encourage respect for all human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Emphasizing the need to observe the Universal Declaration of Human Rights 1/ and for the full implementation of the human rights instruments, including the International Covenant on Civil and Political Rights, 2/ the International Covenant on Economic, Social and Cultural Rights, 2/ as well as the Declaration on the Right to Development, 3/

Reaffirming that the right to development is a universal and inalienable right which is a fundamental part of the rights of the human person,

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1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

3/ Resolution 41/128, annex.

Considering that the promotion and the protection of all human rights is one of the priorities of the international community,

Recalling that one of the purposes of the United Nations enshrined in the Charter is to achieve international cooperation in promoting and encouraging respect for human rights,

Reaffirming the commitment made under Article 56 of the Charter to take joint and separate action in cooperation with the United Nations for the achievement of the purposes set forth in Article 55 of the Charter,

Emphasizing the need for the promotion and protection of all human rights to be guided by the principles of impartiality, objectivity and non-selectivity, in the spirit of constructive international dialogue and cooperation,

Aware that all human rights are universal, indivisible, interdependent and interrelated and that as such they should be given the same emphasis,

Affirming its commitment to the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Convinced that the World Conference on Human Rights made an important contribution to the cause of human rights and that its recommendations should be implemented through effective action by all States, the competent organs of the United Nations and the specialized agencies, in cooperation with non-governmental organizations,

Acknowledging the importance of strengthening the provision of advisory services and technical assistance by the Centre for Human Rights of the Secretariat and other relevant programmes and bodies of the United Nations system for the purpose of the promotion and protection of all human rights,

Determined to adapt, strengthen and streamline the existing mechanisms to promote and protect all human rights and fundamental freedoms while avoiding unnecessary duplication,

Recognizing that the activities of the United Nations in the field of human rights should be rationalized and enhanced in order to strengthen the United Nations machinery in this field and to further the objectives of universal respect for observance of international human rights standards,

Reaffirming that the General Assembly, the Economic and Social Council and the Commission on Human Rights are the responsible organs for decision- and policy-making for the promotion and protection of all human rights,

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4/ A/CONF.157/24 (Part I), chap. III.

Reaffirming the necessity for a continued adaptation of the United Nations human rights machinery to the current and future needs in the promotion and protection of human rights and the need to improve its coordination, efficiency and effectiveness, as reflected in the Vienna Declaration and Programme of Action and within the framework of a balanced and sustainable development for all people,

Having considered the recommendation contained in paragraph 18 of section II of the Vienna Declaration and Programme of Action,

1. Decides to create the post of the High Commissioner for Human Rights;

2. Decides that the High Commissioner for Human Rights shall:

(a) Be a person of high moral standing and personal integrity and shall possess expertise, including in the field of human rights, and the general knowledge and understanding of diverse cultures necessary for impartial, objective, non-selective and effective performance of the duties of the High Commissioner;

(b) Be appointed by the Secretary-General of the United Nations and approved by the General Assembly, with due regard to geographical rotation, and have a fixed term of four years with a possibility of one renewal for another fixed term of four years;

(c) Be of the rank of Under-Secretary-General;

3. Decides that the High Commissioner for Human Rights shall:

(a) Function within the framework of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ other international instruments of human rights and international law, including the obligations, within this framework, to respect the sovereignty, territorial integrity and domestic jurisdiction of States and to promote the universal respect for and observance of all human rights, in the recognition that, in the framework of the purposes and principles of the Charter, the promotion and protection of all human rights is a legitimate concern of the international community;

(b) Be guided by the recognition that all human rights - civil, cultural, economic, political and social - are universal, indivisible, interdependent and interrelated and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

(c) Recognize the importance of promoting a balanced and sustainable development for all people and of ensuring realization of the right to development, as established in the Declaration on the Right to Development; 3/

4. Decides that the High Commissioner for Human Rights shall be the United Nations official with principal responsibility for United Nations human rights activities under the direction and authority of the Secretary-General; within the framework of the overall competence, authority and decisions of the

General Assembly, the Economic and Social Council and the Commission on Human Rights, the High Commissioner's responsibilities shall be:

(a) To promote and protect the effective enjoyment by all of all civil, cultural, economic, political and social rights;

(b) To carry out the tasks assigned to him/her by the competent bodies of the United Nations system in the field of human rights and to make recommendations to them with a view to improving the promotion and protection of all human rights;

(c) To promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for this purpose;

(d) To provide, through the Centre for Human Rights of the Secretariat and other appropriate institutions, advisory services and technical and financial assistance, at the request of the State concerned and, where appropriate, the regional human rights organizations, with a view to supporting actions and programmes in the field of human rights;

(e) To coordinate relevant United Nations education and public information programmes in the field of human rights;

(f) To play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world, as reflected in the Vienna Declaration and Programme of Action; 4/

(g) To engage in a dialogue with all Governments in the implementation of his/her mandate with a view to securing respect for all human rights;

(h) To enhance international cooperation for the promotion and protection of all human rights;

(i) To coordinate the human rights promotion and protection activities throughout the United Nations system;

(j) To rationalize, adapt, strengthen and streamline the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness;

(k) To carry out overall supervision of the Centre for Human Rights;

5. Requests the High Commissioner for Human Rights to report annually on his/her activities, in accordance with his/her mandate, to the Commission on Human Rights and, through the Economic and Social Council, to the General Assembly;

6. Decides that the Office of the High Commissioner for Human Rights shall be located at Geneva and shall have a liaison office in New York;

7. Requests the Secretary-General to provide appropriate staff and resources, within the existing and future regular budgets of the United Nations, to enable the High Commissioner to fulfil his/her mandate, without

diverting resources from the development programmes and activities of the United Nations;

8. Also requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution.

85th plenary meeting
20 December 1993

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/632/Add.3)]

48/142. Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other applicable human rights instruments,

Reaffirming also that all Member States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1993/63 of 10 March 1993, 3/ in which the Commission recognized with deep appreciation the efforts of the Secretary-General and of the Special Rapporteur to carry out the mandate concerning the situation of human rights in Cuba,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Noting concern about ongoing reports of serious violations of human rights in Cuba, as outlined in the interim report 4/ submitted to the General Assembly by the Special Rapporteur of the Commission on Human Rights,

Recalling the failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1992/61 of 3 March 1992 5/ by refusing to permit the Special Rapporteur to visit Cuba, and noting its response, as cited in appendix II to the interim report of the Special Rapporteur, in which it states: "we emphatically reject resolution 1992/61 and, accordingly, we cannot cooperate in its implementation in any way",

1. Commends the Special Rapporteur of the Commission on Human Rights for his interim report; 4/

2. Expresses its full support for the work of the Special Rapporteur;

3. Calls upon the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. Regrets profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report of the Special Rapporteur to the Commission on Human Rights 6/ and in his interim report;

5. Calls upon the Government of Cuba to adopt measures proposed by the Special Rapporteur and ratify international human rights instruments, cease the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association, permit legalization of independent groups, respect guarantees of due process, permit access to the prisons by national independent groups and international humanitarian agencies, review sentences for crimes of a political nature,and cease retaliatory measures towards those seeking permission to leave the country;

6. Decides to continue its consideration of this question at its forty-ninth session.

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4/ A/48/562, annex.

5/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

6/ E/CN.4/1993/39.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/632/Add.3)]

48/143. Rape and abuse of women in the areas of armed conflict in the former Yugoslavia

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Prevention and Punishment of the Crime of Genocide, 4/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 5/ the Convention on the Elimination of All Forms of Discrimination against Women, 6/ the

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 2106 A (XX), annex.

4/ Resolution 260 A (III).

5/ Resolution 39/46, annex.

6/ Resolution 34/180, annex.

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Convention on the Rights of the Child 7/ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ and the Additional Protocols thereto, of 1977, 9/

Recalling its resolution 3074 (XXVIII) of 3 December 1973, entitled "Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity",

Taking note of Commission on Human Rights resolution 1993/8 of 23 February 1993, entitled "Rape and abuse of women in the territory of the former Yugoslavia",

Appalled at the recurring and substantiated reports of widespread rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, in particular its systematic use against the Muslim women and children in Bosnia and Herzegovina by Serbian forces,

Reaffirming the relevant Security Council resolutions, in particular resolution 798 (1992) of 18 December 1992 in which, inter alia, the Council strongly condemned those acts of unspeakable brutality,

Convinced that this heinous practice constitutes a deliberate weapon of war in fulfilling the policy of "ethnic cleansing" carried out by Serbian forces in Bosnia and Herzegovina, and recalling General Assembly resolution 47/121 of 18 December 1992, in which the Assembly stated, inter alia, that the abhorrent policy of "ethnic cleansing" was a form of genocide,

Welcoming the initiatives taken by the Special Rapporteur on the situation of human rights in the former Yugoslavia, particularly his prompt dispatch of a team of experts to the former Yugoslavia to investigate the allegations of rape and abuse of women,

Welcoming also the initiative of the European Council in the rapid dispatch of a mission to investigate the treatment of Muslim women in the former Yugoslavia, and the report of the mission, 10/

Taking note with deep concern of the findings of the team of experts dispatched by the Special Rapporteur, 11/ and those of the mission dispatched by the European Council,

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7/ Resolution 44/25, annex.

8/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

9/ Ibid., vol. 1125, Nos. 17512 and 17513.

10/ S/25240, annex I.

11/ E/CN.4/1993/50, annex II.

Welcoming the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in pursuance of Security Council resolutions 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993,

Noting with deep concern the reports on the findings of the Special Rapporteur 12/ and the Secretary-General, assisted by the staff of the Special Rapporteur, 13/ regarding rape and abuse of women in the territory of the former Yugoslavia, particularly Bosnia and Herzegovina,

Deeply alarmed at the situation facing victims of rape in the conflicts in different parts of the world, in particular in the Republic of Bosnia and Herzegovina, and the continuing use of rape as a weapon of war,

Desirous of ensuring that persons accused of upholding and perpetrating rape and sexual violence as a weapon of war in the areas of armed conflict in the former Yugoslavia will be brought to justice by the International Tribunal where appropriate,

Recognizing the extraordinary suffering of the victims of rape and sexual violence and the necessity for an appropriate response to provide assistance to those victims,

Taking into account resolution 37/3 of 24 March 1993 of the Commission on the Status of Women,14/

Noting with appreciation the work of humanitarian organizations aimed at supporting the victims of rape and abuse and alleviating their suffering,

1. Strongly condemns the abhorrent practice of rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, which constitutes a war crime;

2. Expresses its outrage that the systematic practice of rape is being used as a weapon of war and an instrument of "ethnic cleansing" against the women and children in the areas of armed conflict in the former Yugoslavia, in particular against Muslim women and children in Bosnia and Herzegovina;

3. Demands that those involved immediately cease those outrageous acts, which are in gross violation of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ and the Additional Protocols thereto, of 1977, 9/ and take immediate action to ensure the enjoyment of human rights and fundamental freedoms in accordance with their obligations under those instruments and other applicable international human rights instruments;

12/ E/CN.4/1994/47.

13/ E/CN.4/1994/5.

14/ See E/1993/27-E/CN.6/1993/18 and Corr.1, chap. I, sect. C.

4. Urges all Member States to take joint and separate action, in cooperation with the United Nations, to bring about an end to that despicable practice;

5. Reaffirms that all persons who perpetrate or authorize crimes against humanity and other violations of international humanitarian law are individually responsible for those violations, and that those in positions of authority who have failed adequately to ensure that persons under their control comply with the relevant international instruments are accountable together with the perpetrators;

6. Urges Member States to exert every effort to bring to justice, in accordance with internationally recognized principles of due process, all those individuals directly or indirectly involved in those outrageous international crimes;

7. Commends the Special Rapporteur for his report on the situation of human rights in the territory of the former Yugoslavia; 12/

8. Urges all States and all relevant intergovernmental and non-governmental organizations, including the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Health Organization, to provide to the victims of such rape and abuse appropriate assistance for their physical and mental rehabilitation;

9. Invites the Commission on Human Rights to request the Special Rapporteur to continue investigation into the rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia, in particular in Bosnia and Herzegovina;

10. Declares that rape is a heinous crime and encourages the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to give due priority to the cases of the victims of rape in the areas of armed conflict in the former Yugoslavia, in particular in Bosnia and Herzegovina;

11. Requests the Secretary-General to provide such necessary means as are available to him in the area to enable any future missions to have free and secure access to places of detention;

12. Also requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly not later than 31 January 1994;

13. Decides to continue the consideration of this question at its forty-ninth session.

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[on the report of the Third Committee (A/48/632/Add.3)]

48/144. Situation of human rights in Iraq

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights,

Recalling its resolution 47/145 of 18 December 1992, in which it expressed its deep concern at flagrant violations of human rights by the Government of Iraq,

Recalling also Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq should cooperate with humanitarian organizations and ensure that the human and political rights of all Iraqi citizens were respected,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

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Recalling in particular Commission on Human Rights resolution 1991/74 of 6 March 1991, 3/ by which the Commission requested its Chairman to appoint a Special Rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the Special Rapporteur might deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq,

Bearing in mind the pertinent resolutions of the Commission on Human Rights condemning the flagrant violations of human rights by the Government of Iraq, including its most recent resolution, 1993/74 of 10 March 1993, 4/ by which the Commission extended the mandate of the Special Rapporteur for a further year and requested him to submit an interim report to the General Assembly at its forty-eighth session and a final report to the Commission at its fiftieth session,

Recalling Security Council resolutions 687 (1991) of 3 April 1991, 706 (1991) of 15 August 1991, 712 (1991) of 19 September 1991 and 778 (1992) of 2 October 1992,

Deeply concerned by the massive and grave violations of human rights by the Government of Iraq, such as summary and arbitrary executions, torture and other cruel, inhuman or degrading treatment, enforced or involuntary disappearances, arbitrary arrests and detention and lack of due process and the rule of law and of freedom of thought, of expression, of association and of access to food and health care,

Deeply concerned also by the fact that chemical weapons have been used on the Iraqi civilian population, by the forced displacement of hundreds of thousands of Iraqi civilians and by the destruction of Iraqi towns and villages, as well as by the fact that tens of thousands of displaced Kurds have had to take refuge in camps and shelters in the north of Iraq,

Deeply concerned further by the increasingly severe and grave violations of human rights by the Government of Iraq against the civilian population in southern Iraq, in particular in the southern marshes, a large part of which has sought refuge on the border between Iraq and the Islamic Republic of Iran,

Expressing concern, in particular, at the fact that there are no signs of improvement in the general situation of human rights in Iraq, and, therefore, welcoming the decision to deploy a team of human rights monitors to such locations as would facilitate improved information flows and assessment and would help in the independent verification of reports on the situation of human rights in Iraq,

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3/ See Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

4/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Regretting that the Government of Iraq has not seen fit to respond to requests for a visit of the Special Rapporteur on the situation of human rights in Iraq and noting that, despite the formal cooperation extended to the Special Rapporteur by the Government of Iraq, such cooperation needs to be substantially improved, in particular by giving full replies to the inquiries of the Special Rapporteur about acts being committed by the Government of Iraq that are incompatible with the international human rights instruments that are binding on that country,

1. Takes note with appreciation of the interim report 5/ submitted by the Special Rapporteur of the Commission on Human Rights and the observations, conclusions and recommendations contained therein;

2. Expresses its strong condemnation of the massive violations of human rights of the gravest nature, for which the Government of Iraq is responsible and to which the Special Rapporteur has referred in his recent reports, in particular:

(a) Summary and arbitrary executions, orchestrated mass executions and burials, extrajudicial killings, including political killings, in particular in the northern region of Iraq, in southern Shiah centres and in the southern marshes;

(b) The widespread routine practice of systematic torture in its most cruel forms;

(c) Enforced or involuntary disappearances, routinely practised arbitrary arrest and detention, including arrest and detention of women, the elderly and children, and consistent and routine failure to respect due process and the rule of law;

(d) Suppression of freedom of thought, expression and association and violations of property rights;

(e) The unwillingness of the Government of Iraq to honour its responsibilities in respect of the economic rights of the population;

3. Deplores the refusal of Iraq to cooperate in the implementation of Security Council resolutions 706 (1991) and 712 (1991) and its failure to provide the Iraqi population with access to adequate food and health care;

4. Calls upon the Government of Iraq to release immediately all persons arbitrarily arrested and detained, including Kuwaitis and nationals of other States;

5. Calls once again upon Iraq, as a State party to the International Covenant on Economic, Social and Cultural Rights 2/ and to the International Covenant on Civil and Political Rights, 2/ to abide by its obligations freely undertaken under the Covenants and under other international instruments on

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5/ A/48/600, annex.

human rights and, particularly, to respect and ensure the rights of all individuals, irrespective of their origin within its territory and subject to its jurisdiction;

6. Recognizes the importance of the work of the United Nations in providing humanitarian relief to the people of Iraq, and calls upon Iraq to allow unhindered access of the United Nations humanitarian agencies throughout the country, including ensuring the safety of United Nations personnel and humanitarian workers, inter alia, through the continued implementation of the Memorandum of Understanding signed by the United Nations and the Government of Iraq;

7. Expresses special alarm at the repressive practices directed against the Kurds, which continue to have an impact on the lives of the Iraqi people as a whole;

8. Also expresses special alarm at the resurgence of grave violations of human rights in southern Iraq, which is the result of a policy directed against the marsh Arabs in particular, many of whom have sought refuge outside the country;

9. Welcomes the sending of human rights monitors to the border between Iraq and the Islamic Republic of Iran, and calls upon the Government of Iraq to allow immediate and unconditional stationing of human rights monitors throughout the country, especially the southern marsh area;

10. Expresses its special alarm at all internal embargoes, which permit essentially no exceptions for humanitarian needs and which prevent the equitable enjoyment of basic foodstuffs and medical supplies, and calls upon the Government of Iraq, which has sole responsibility in this regard, to remove them and to take steps to cooperate with international humanitarian agencies in the provision of relief to those in need throughout Iraq;

11. Urges once more the Government of Iraq to set up an independent commission of inquiry to look into the fate of tens of thousands of persons who have disappeared;

12. Regrets the failure of the Government of Iraq to provide satisfactory replies concerning the violations of human rights brought to the attention of the Special Rapporteur, and calls upon the Government fully to cooperate and to reply without delay in a comprehensive and detailed manner so as to enable the Special Rapporteur to formulate the appropriate recommendations to improve the situation of human rights in Iraq;

13. Requests the Secretary-General to provide the Special Rapporteur with all assistance necessary to carry out his mandate;

14. Decides to continue its consideration of the situation of human rights in Iraq during its forty-ninth session under the item entitled "Human rights questions" in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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[on the report of the Third Committee (A/48/632/Add.3)]

48/145. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Bearing in mind its relevant resolutions, including the most recent, resolution 47/146 of 18 December 1992, as well as those of the Commission on Human Rights, including the most recent, resolution 1993/62 of 10 March 1993, 3/ and those of the Subcommission on Prevention of Discrimination

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

and Protection of Minorities, including the most recent, resolution 1993/14 of 20 August 1993, 4/

Noting that the Government of the Islamic Republic of Iran has responded to the request of the Special Representative of the Commission on Human Rights for information concerning allegations of human rights violations in that country, but that it did not allow him to pay a fourth visit to the country so that he might obtain direct and first-hand information on the current human rights situation there,

Reaffirming that Governments are accountable for assassinations and attacks by their agents against persons on the territory of another State, as well as for the incitement, approval or wilful condoning of such acts,

Noting the observation of the Special Representative that there is enough evidence to show that it is entirely proper for the human rights situation in the Islamic Republic of Iran to remain under international scrutiny, 5/

Noting also that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1993/14, has condemned the continuing flagrant violations of human rights in the Islamic Republic of Iran,

Noting further the concluding observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran,

1. Takes note with appreciation of the interim report of the Special Representative of the Commission on Human Rights 6/ and the considerations and observations contained therein;

2. Expresses its deep concern at continuing reports of violations of human rights in the Islamic Republic of Iran;

3. Expresses its concern more specifically at the main criticisms of the Special Representative with regard to the human rights situation in the Islamic Republic of Iran, namely, the high number of executions, cases of torture and cruel, inhuman or degrading treatment or punishment, the standard of the administration of justice, the absence of guarantees of due process of law, discriminatory treatment of certain groups of citizens by reason of their religious beliefs, notably the Baha'is, whose existence as a viable religious community is threatened, and restrictions on the freedom of expression, thought, opinion and the press, and that, as noted by the Special Representative, there is continued discrimination against women;

4/ See E/CN.4/1994/2-E/CN.4/Sub.2/1993/45, chap. II, sect. A.

5/ See A/48/526, annex, para. 130.

6/ A/48/526, annex.

4. Expresses its grave concern at the continued use of the death penalty, which the Special Representative has described as excessive;

5. Expresses its grave concern that there are continuing threats to the life of a citizen of another State, whose case is mentioned in the report of the Special Representative, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran;

6. Urges the Government of the Islamic Republic of Iran to refrain from activities such as those mentioned in the report of the Special Representative against members of the Iranian opposition living abroad;

7. Regrets that the Government of the Islamic Republic of Iran has still not permitted the Special Representative to visit the country and has thus not enabled him fully to discharge his mandate by according him full cooperation;

8. Urges the Government of the Islamic Republic of Iran to implement existing agreements with international humanitarian organizations;

9. Calls upon the Government of the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative in sections IV and V of his interim report, in particular as regards the administration of justice and due process of law;

10. Also calls upon the Government of the Islamic Republic of Iran to comply with international instruments on human rights, in particular the International Covenant on Civil and Political Rights, 2/ to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in those instruments;

11. Endorses the view of the Special Representative that the international monitoring of the human rights situation in the Islamic Republic of Iran should be continued;

12. Calls upon the Government of the Islamic Republic of Iran to cooperate fully with the Special Representative;

13. Requests the Secretary-General to give all necessary assistance to the Special Representative;

14. Decides to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, during its forty-ninth session, under the item entitled "Human rights questions" in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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[on the report of the Third Committee (A/48/632/Add.3)]

48/146. Situation of human rights in Somalia

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the International Bill of Human Rights 1/ and other applicable human rights instruments,

Gravely concerned by the situation in Somalia, including the extensive damage and destruction of villages, towns and cities, the heavy damage inflicted by the civil conflict on the country's infrastructure and the still widespread disruption of many public facilities and services and the lack of a governmental authority to ensure even basic human rights,

Deploring the loss of human life in Somalia, and attacks against personnel of the United Nations and of other humanitarian organizations in Somalia, which sometimes result in serious injuries or deaths,

Recalling Security Council resolution 733 (1992) of 21 January 1992, all subsequent relevant Security Council resolutions and General Assembly resolution 47/167 of 18 December 1992, and taking note of Commission on Human Rights resolution 1993/86 of 10 March 1993,2/

1/ See resolutions 217 A (III), 2200 A (XXI), annex and 44/128, annex.

2/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

/...

Commending the ongoing efforts in Somalia of the United Nations, the specialized agencies, humanitarian organizations, non-governmental organizations, countries in the region and regional organizations,

Taking note with appreciation of the report of the independent expert on the conditions in Somalia, 3/ dated 26 October 1993,

1. Commends the independent expert for his report on the conditions in Somalia, in which he cited an increase in human rights violations fuelled by the absence of an accountable government and the lack of infrastructure;

2. Urges all Somali parties in the conflict to confirm their commitment to the Addis Ababa Agreement of 27 March 1993;

3. Urges all Somalis to work together towards peace and security in Somalia and to guarantee the protection of all human rights and fundamental freedoms for all Somalis;

4. Calls upon all parties to protect civilians, United Nations personnel and humanitarian relief workers from being killed, tortured or arbitrarily detained;

5. Requests that, following the restoration of political stability and security in Somalia, the Commission on Human Rights, in accordance with the Charter of the United Nations, consider establishing a group of independent human rights monitors, funded from within existing United Nations resources, to receive complaints and collect and investigate reports of violations of human rights and to transmit them, where appropriate, to the Centre for Human Rights of the Secretariat, in an effort to prevent human rights violations;

6. Decides to continue its consideration of this question at its forty-ninth session.

85th plenary meeting
20 December 1993

3/ A/48/510.